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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Ivan PETYAEV

Atty. Ref.: 620-433

Serial No. 10/574,852

Group: unknown

Filed: April 6, 2006

Examiner: Unknown

For: METHOD AND MEANS FOR MODULATING LIPID  
METABOLISM

\* \* \* \* \*

December 8, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

In response to the Notification of Missing Requirements dated October 20, 2006 (copy attached), the applicants respectfully submit the requisite Declaration was filed October 19, 2006. A copy of the undersigned's Transmittal Letter of October 19, 2006 and a further copy of the Declaration filed with the same is attached, along with the undersigned's date-stamped postcard receipt from the filing, for the convenience of the Office. Nothing further is believed to be required in response to the attached Notification. However, the Office is requested to contact the undersigned if otherwise.

Respectfully submitted,

**NIXON & VANDERHYTE P.C.**

By: \_\_\_\_\_

B. J. Sadoff  
Reg. No. 36,663

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Serial No.: 10/574,852

Inventor/s: Ivan PETYAEV

Title: METHOD AND MEANS FOR MODULATING LIPID  
METABOLISM

C#/M#: 620-433

Atty: B. J. Sadoff

Date: 10/19/2006

XX Transmittal Letter/Completion – 2 copies

XX Executed Declaration

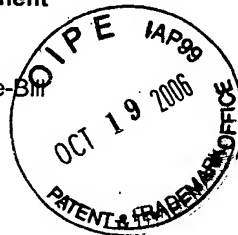
XX Form PTO-1595 & executed Assignment

\$40.00 Fee (Check) - Pre-Bill

\$ Fee (Check) - Non Pre-Bill

\$ 40.00 Total Fee Enclosed

Other:



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FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>620-438</b>
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.52) <b>10/574,852</b>
INTERNATIONAL APPLICATION NO. <b>PCT/GB2004/004162</b>	INTERNATIONAL FILING DATE <b>29 September 2004</b>	PRIORITY DATE CLAIMED <b>6 October 2003</b>
TITLE OF INVENTION <b>METHOD AND MEANS FOR MODULATING LIPID METABOLISM</b>		
APPLICANT(S) FOR DO/EO/US <b>Ivan PETYAEV</b>		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The U.S. has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (      pages specification, claims & abstract (      claims),      sheets drawings).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))
  - a. ☐ is attached hereto (      pages specification, claims & abstract (      claims),      sheets drawings,      page Certificate of Translation).
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.
  - a. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  - b. ☐ Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (      page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 To 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13.
  - a. ☐ A FIRST preliminary amendment.
  - b. ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ An Application Data Sheet under 37 C.F.R. § 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information.

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/574,852</b>		INTERNATIONAL APPLICATION NO. <b>PCT/GB2004/004162</b>		ATTORNEY'S DOCKET NUMBER <b>620-433</b>	
<input checked="" type="checkbox"/> The following fees are submitted:					
<b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b>					
21.	<input type="checkbox"/> Basic national fee	\$300.00 (1631)/\$150.00 (2631)	\$		
22.	<input type="checkbox"/> Examination Fee	\$0 (1643/2643)	\$		
		\$200.00 (1633)/\$100.00 (2633)	\$		
23.	<input type="checkbox"/> Search Fee	\$0 (1640/2640)			
		\$100 (1641)/\$50 (2641)			
		\$400 (1642)/\$200 (2642)	\$		
		\$500.00 (1632)/\$250.00 (2632)	\$		
<b>TOTAL OF ABOVE CALCULATIONS</b>			\$	0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets		Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE
0	-100	0	/50 =	0.00	\$0.00 (1681)
					\$0.00 (2681)
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).					
CLAIMS		NUMBER FILED	# EXTRA	RATE	
Total Claims		minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)
Independent Claims		minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)	\$ 0.00
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.					
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).					
<b>TOTAL NATIONAL FEE =</b>					\$ 0.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property					
<b>TOTAL FEES ENCLOSED =</b>					\$ 40.00
					Amount to be refunded:
					\$
					Amount to be Charged:
					\$

U.S. Application No.10/574,852; Atty Docket No.620-433

- a. ☒ A check in the amount of \$40.00 to cover the above fees is enclosed.  
☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees.  
A duplicate copy of this form is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. ☐ **CREDIT CARD PAYMENT FORM ATTACHED.**
- e. ☒ The entire content of International Application No. **PCT/GB2004/004162** and any U.S. and foreign application(s) corresponding thereto, and GB 0323348.3, referred to in this application is/are hereby incorporated by reference in this application.

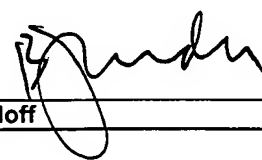
**NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.**

**CORRESPONDENCE ADDRESS**

Direct all correspondence to:

☒ **Customer Number:****23117***Type Customer Number here*

Telephone: (703) 816-4000  
BJS:pp

  
**B. J. Sadoff**  
NAME

**36,663**

REGISTRATION NUMBER

**October 19, 2006**

Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,852	Ivan Petyaev	620433

INTERNATIONAL APPLICATION NO.

PCT/GB04/04162

I.A. FILING DATE

PRIORITY DATE

09/29/2004

10/06/2003

23117

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

DOCKETED

CONFIRMATION NO. 8419

MATTER # 620-433

371 FORMALITIES LETTER

DATE 10/20/06

DATE Dec 20, 2006

FINAL DEADLINE May 20, 2007



\*OC000000020904492\*

Date Mailed: 10/20/2006

DOCKETED BY BAK/LMS

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/06/2006
- Copy of the International Search Report filed on 04/06/2006
- Preliminary Amendments filed on 04/06/2006
- Information Disclosure Statements filed on 04/06/2006
- Request for Immediate Examination filed on 04/06/2006
- U.S. Basic National Fees filed on 04/06/2006
- Priority Documents filed on 04/06/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

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ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,852	PCT/GB04/04162	620433

FORM PCT/DO/EO/905 (371 Formalities Notice)

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